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DATE FILED: 10/13/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YOOMI BABYTECH, INC.,

Plaintiff

v.

ANVYL, INC., RODNEY MANZO,
VITALPURE, LLC, FEEL WELL, LLC
AND LEGACY CHEMICAL
CORPORATION,

Defendants

**CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER**

Case No. 1:20-cv-07933 (ER)

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. The parties do not consent to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c).
2. This case is to be tried to a jury.
3. Joinder of additional parties must be accomplished by November 1, 2021.
4. Amended pleadings may be filed until December 1, 2021.
5. Interrogatories shall be served no later than December 15, 2021 and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 shall apply to this case.
6. First request for production of documents, if any, shall be served no later than N/A.
7. Non-expert depositions shall be completed by April 15, 2022.
 - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
 - b. Depositions shall proceed concurrently.
 - c. Non-party depositions need not follow party depositions.

8. Any further interrogatories, including expert interrogatories, shall be served no later than April 30, 2022.
9. Requests to Admit, if any, shall be served no later than May 30, 2022.
10. Plaintiff and Defendants (but only with respect to counterclaims or crossclaims) will identify their experts no later than May 30, 2022, the parties will identify their rebuttal experts by June 30, 2022.
11. Plaintiff's and Defendants' (but only with respect to counterclaims or crossclaims) expert reports shall be served no later than July 1, 2022.
12. Rebuttal expert reports shall be served no later than August 1, 2022.
13. Expert reports responsive to the rebuttal experts' reports shall be served by September 1, 2022.
14. Expert depositions shall be completed by September 30, 2022.
15. Additional provisions agreed upon by counsel, if any, are attached hereto and made a part hereof.
16. **ALL DISCOVERY SHALL BE COMPLETED** by September 30, 2022.
17. Any motions shall be filed in accordance with the Court's Individual Practices.
18. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
19. The Magistrate Judge assigned to this case is the Hon. Kevin Nathaniel Fox.
20. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
21. Counsel for the parties inform the Court that a settlement conference before the Magistrate Judge has already been conducted, without success.

22. The next case management conference is scheduled for October 5, 2022, at 9:30 a.m.. (The Court will set this date at the initial conference.)

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written over a horizontal line.

Edgardo Ramos, U.S. District Judge

Date: October 13, 2021
New York, New York